



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Thomas A. Zdeblick et al.) Before the Examiner
Serial No. 10/644,252) Unknown
Filed August 20, 2003) Group Art Unit 3732
INTERBODY FUSION DEVICE AND) January 8, 2003
METHOD FOR RESTORATION OF) Our Ref.: 4002-3378
NORMAL SPINAL ANATOMY)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

January 8, 2003

(Date of Deposit)

Brad A. Schepers

Name of Registered Representative

Signature

January 8, 2003

Date of Signature

PETITION TO CORRECT FILING RECEIPT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please correct the official filing receipt in the above-referenced patent application as follows.

In regards to the **Applicant(s)** section, please correct Lawrence M. Boyd's address as follows:

-- Lawrence M. Boyd, Memphis, TN--.

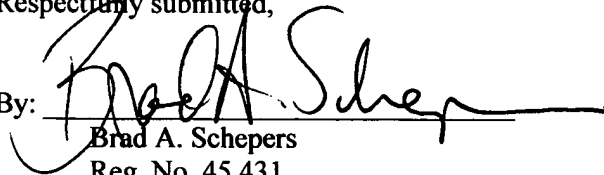
The Applicant data was correctly set forth in the executed Declaration filed with the subject application on August 20, 2003.

A copy of the corrected filing receipt is enclosed, as marked with the appropriate correction. The Applicant requests such correction and that a corrected filing receipt be issued to the Applicant.

It is believed that the error occurred on the part of the Patent Office, and that no fee is due. However, please charge any additional fees which may be necessary to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By:

A handwritten signature in black ink, appearing to read "Brad A. Schepers", written over a horizontal line.

Brad A. Schepers

Reg. No. 45,431

Woodard, Emhardt, Moriarty

McNett & Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456

004002-003378.BAS.kkb.258950



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/644,252	08/20/2003	3732	966	4002-3378/PC242.38	11	32	3

CONFIRMATION NO. 6078

Woodard, Emhardt, Moriarty, McNett & Henry LLP
 Bank One Center/Tower
 Suite 3700
 111 Monument Circle
 Indianapolis, IN 46204-5137

FILING RECEIPT



OC000000011274070

Date Mailed: 11/14/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Thomas Zdeblick, Madison, WI;
 Eddie Ray III, Cordova, TN;
 Lawrence M. Boyd, Memphis, ~~TX~~ TN

Domestic Priority data as claimed by applicant

This application is a CON of 09/518,981 03/03/2000 PAT 6,645,206
 which is a CON of 09/489,317 01/21/2000 PAT 6,375,655
 which is a CON of 09/209,602 12/11/1998 ABN
 which is a CON of 09/157,735 09/21/1998 ABN
 which is a CON of 09/111,197 07/07/1998 ABN
 which is a CON of 08/882,611 06/25/1997 ABN
 which is a CON of 08/835,306 04/07/1997 ABN
 which is a CON of 08/413,353 03/30/1995 PAT 5,669,909
 which is a CIP of 08/411,017 03/27/1995 PAT 5,782,919

RECEIVED

NOV 18 2003

Foreign Applications

Woodard, Emhardt, Moriarty,
 McNett & Henry LLP

If Required, Foreign Filing License Granted: 11/14/2003

Projected Publication Date: 02/26/2004

Non-Publication Request: No

Early Publication Request: No

Title

Interbody fusion device and method for restoration of normal spinal anatomy

Preliminary Class

606

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).